The Comprehensive Watershed Ordinance

In terms of shaping growth in the FM 2222 Corridor, the most significant subdivision regulations are contained in Chapter 25-8 of the City's Land Development Code (oftentimes referred to as the Comprehensive Watersheds Ordinance (CWO). The purpose of these regulations is to protect water quality throughout the City and the ETJ.

Chapter 25-8 divides the City into five watershed types: Water Supply Rural (WSR), Water Supply Suburban (WSS), Barton Springs Zone (BSZ), Suburban (S), and Urban (U). Maximum percentages of impervious cover, creek setbacks and filtration requirements have been established for each watershed type. The FM 2222 Corridor straddles two of the most sensitive watershed types, the WSR, and the WSS, and has some of the lowest percentages of allowable impervious limitations.

For instance, current limits on impervious cover in the Water Supply Rural watersheds (WSR) limit commercial and multifamily development to 20% of net site area (See Figure 2.1) and 40% of a commercial or multifamily site in the WSR must be left completely natural as a buffer zone. These standards help create a development pattern that is very low in density which contributes to sprawl development in the Corridor.

	WSR Water Supply Rural	WSS Water Supply Suburban	BSZ Barton Springs Recharge Zone	S Suburban (except Lake, Rattan andBrushy)	U Urban
Commercial No transfers	20%	40%	15%	80%	Refer to Zoning
Commerical With Transfers	25%	55%	15%	90%	Refer to Zoning
Multifamily No Transfers	20%	40%	15%	60%	Refer to Zoning
Multifamily With Onsite Transfers	25%	55%	15%	70%	Refer to Zoning
SF (5750 SF plus) With Transfers	1 DU / Ac	30%	15%	50%	Refer to Zoning
SF (5750 SF plus) With Transfers	2 DU / Ac	45%	15%	60%	Refer to Zoning
SF (less than 5750 SF) No Transfers	NA	NA	15%	55%	Refer to Zoning
SF (less than 5750 SF) With Transfers	NA	NA	15%	60%	Refer to Zoning

Figure 2.4:
Current Comprehensive Watershed Ordinance Regulations for Impervious Cover

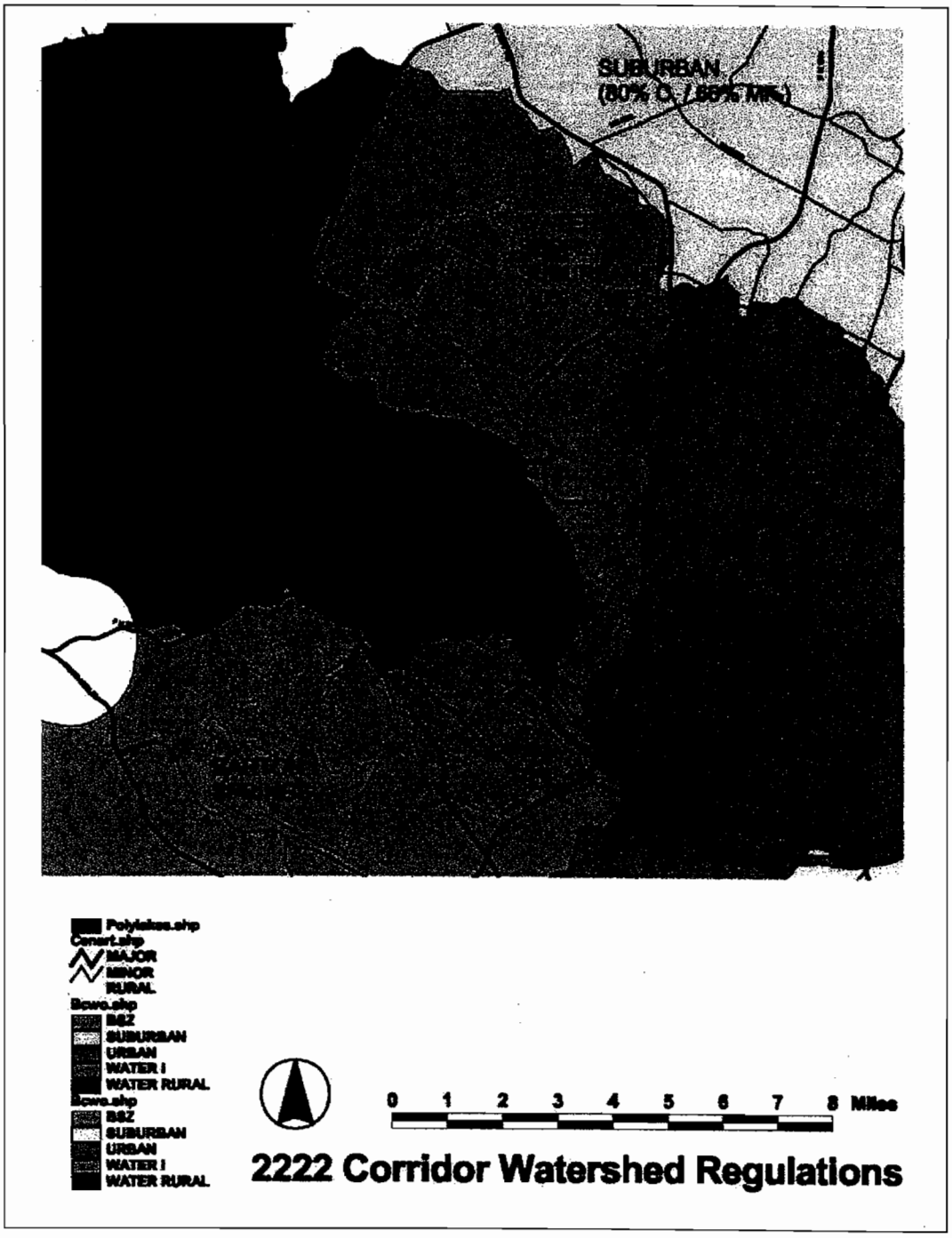


Fig. 2.5
The regulations in the Comprehensive Watershed Ordinance limit the impervious cover allowed for a developed site.

Cluster Development and Transfers of Development Rights

Cluster development is one way to increase density on a particular site without increasing overall impervious cover. Chapter 25-8 allows certain kinds of cluster development through the use of both on site and off site transfers of development intensity. In the WSR Watershed for example, the Land Development Code has provisions which allow some cluster development with transfers.

Although current standards allow for cluster development with transfers, the process of transferring development rights (TDRs) is hardly a simple one. On site transfers are relatively common in large master planned communities like River Place in which development intensities were transferred from the open space in the golf course. Large scale developments comprising hundreds of acres are able to transfer impervious cover from area within the site by designating large areas as adjacent preserve land. This strategy has had some success in preserving open space, while allowing development. Yet, transferring development intensities beyond the site requires a land owner to purchase additional land (a "transferring site") within one mile of the receiving tract. The additional legal and planning work required for a transfer serves as an obstacle to encouraging more compact development with offsite transfers. In fact, few developers have used the development intensity off site transfer.

Development intensities may be transferred from a separate transferring tract to a receiving tract, provided that each tract is owned by the same owner and both tracts are platted concurrently. The transferring tract must be with one mile of the receiving tract. The net site area of the transferring site is calculated according to slopes and water quality zones. A deed restriction covenant is written and the TDR is transferred administratively.

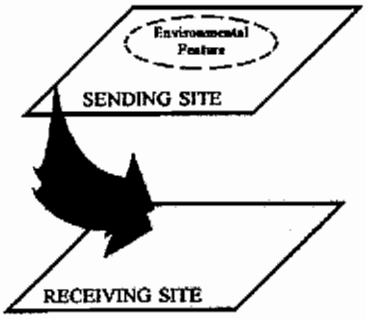


Figure 2.6:
A transfer of development rights (TDR) from a sending site to a receiving site

No specific provisions are made concerning the nature of the transferring tract to be left undeveloped. The transferring tract is up to the discretion of the landowner. Thus the transferring tract that is to be left undeveloped may not be particularly worthy of preserve status. The intended

result of such an implemented TDR program may be a rather random and balkanized collection of private preserves that may or may not be part of a coordinated open space preservation plan.

The Hill Country Roadway Ordinance (HCRO)

The HCRO has had a significant impact on development pattern in the 2222 Corridor. The Hill Country Roadway Ordinance (HCRO) applies to projects within 1000 feet of each side of the ROW of all or portions of four roads; Southwest Parkway, Loop 360, FM 620, FM 2244 and FM 2222.

The HCRO establishes three intensity zones and site development standards for each zone. The standards include FARs and maximum allowable heights. Development bonuses may be granted by the Planning Commission for projects with unusual circumstances and for developments that meet at least 50% of the criteria set out in Section 25-2-1129.

Fig. 2.7
The Hill Country Roadway Ordinance (HCRO) was adopted to preserve the scenic character of the highways in the western part of Travis County. HCRO guidelines include preserving natural areas and limiting the height and bulk of buildings. HCRO includes the 2222 Corridor. Illustrated are high intensity development zones (in red), medium intensity zones (in yellow), and low intensity zones (in green). Dark gray areas indicate Austin's full purpose jurisdiction, light gray indicates Austin's ETJ.

The HCO also includes special landscaping requirements. Along FM 2222, vegetation within 100 of the FM 2222 ROW may not be cleared unless clearing is required to provide utilities and access to the site. In addition, at least 40% of the site, excluding ROW, must be left in a natural state.

The intent of the HCRO is to protect the scenic nature of the hill country and it does that very well. It has, however, contributed to sprawl. Developers constrained by terrain and impervious cover limitations find themselves further boxed in by the building height and FAR standards of HCRO.

Site Plan Process

Virtually all development must go through the site plan approval process. The site plan process is a means of determining whether a proposed development complies with the City's standards. A typical site plan depicts the intensity, density, height and setbacks of a proposed project to the site itself, along with drainage, landscaping, signage, sidewalk and other site attributes.

Some site development standards including transportation, signage and landscaping requirements are part of the Zoning Ordinance but are typically enforced when a project goes through the site plan approval process. Drainage and water quality requirements are also addressed through the site plan approval process. Site plans for projects outside of the City's zoning jurisdiction are only required to comply with drainage and water quality requirements. Inside the City all standards apply. Projects within 1000 feet of the 2222 Corridor must also comply with the Hill Country Roadway standards.

Balcones Canyonlands Conservation Plan

The Balcones Canyonlands Conservation Plan (BCCP) is a multi-specie habitat conservation plan designed to assist Travis County landowners and developers in complying with the requirements of the Endangered Species Act. Most landowners and developers in Travis County wishing to develop land that has endangered species habitat may comply with the federal Endangered Species Act by participating in the Balcones Canyonlands Conservation Plan and paying a fee or setting aside land. The fee or land is used to complete the Balcones Canyonlands Preserve. The alternative is to obtain an individual 10(a) permit from the U.S. Fish and Wildlife Service. However, if the Fish and Wildlife Service has made a "take" determination on a tract, participation in the Balcones must be at the level required by the "take" determination. Currently, the preserve contains approximately 26,324 acres of the 30,428 acres required under the permit.

In the years since adoption of the BCCP, planners have begun using open space as a tool to shape development in a manner that counteracts sprawl. That goal was not part of the BCCP process and, in hindsight, represents a lost opportunity. As it is, the BCP along with the rugged terrain in the Corridor, has the effect of making transportation connectivity difficult. For example, a road connection between River Place and Steiner Ranch is impossible due to the Cortana Preserve which divides the two developments. The result is that more even more traffic is funneled onto RM 2222.

Further exacerbating matters is that the City failed to act proactively to refine City regulations to accommodate the impact of the BCP on transportation and land use in the Corridor. This is not to say that the BCP has been less than successful its primary purpose of habitat preservation or that there have not been significant ancillary water quality benefits. It's also quite possible that, absent the BCP system, sprawl l in the corridor would have even been worse.

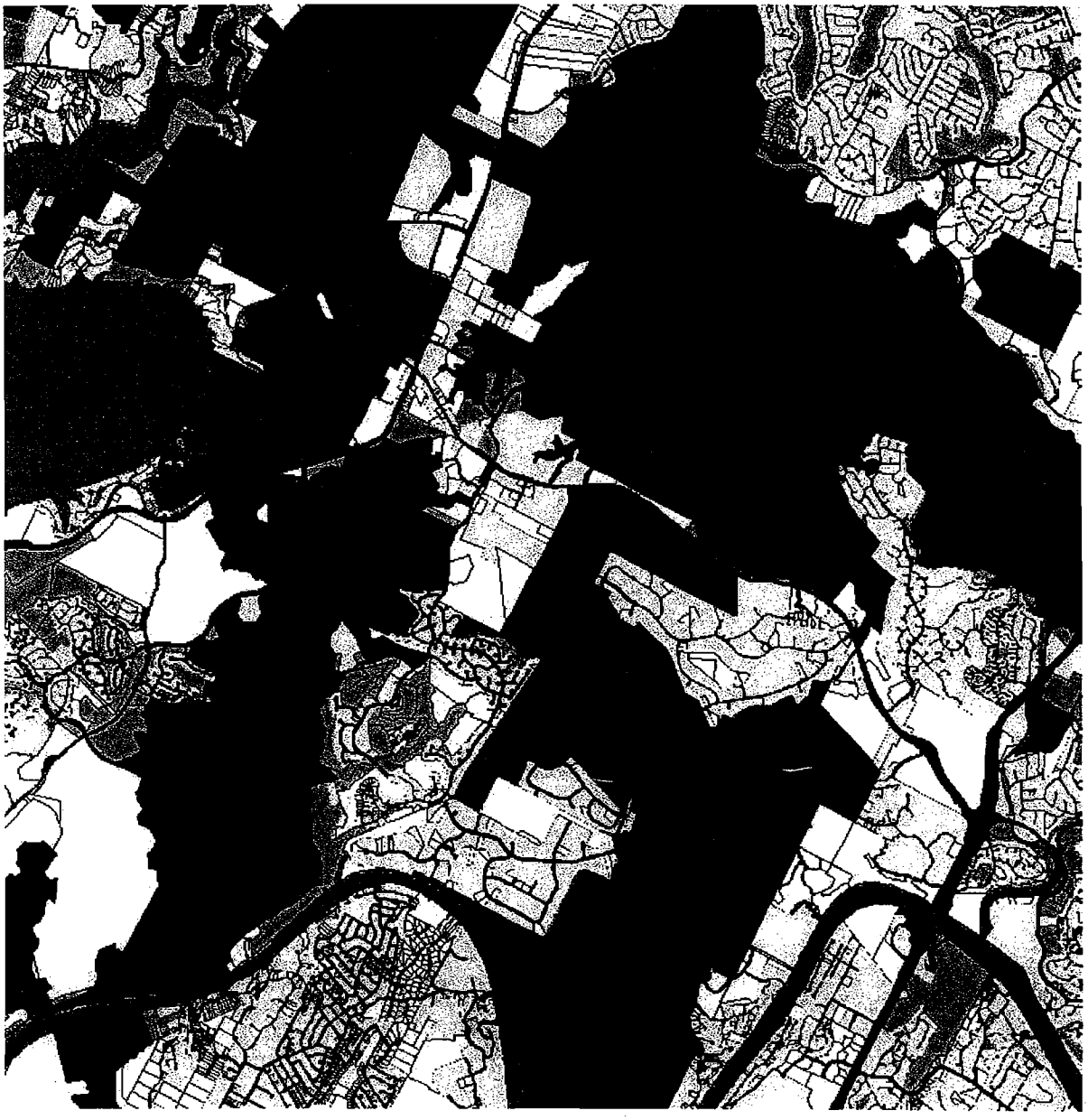


Figure 2.8:
The Balcones Canyonland Preserve in its current condition. Dark green areas indicate preserve lands which are publicly controlled. Olive green areas indicate areas which are intended to become part of the preserve in the future. Other light green areas indicate other kinds of parks and open space. Light yellow areas represent existing development.

Can New Development Be Stopped?

Many residents who already live in the subdivisions along RM 2222 expressed a strong desire to prevent any new development from occurring. They especially object to the planned new development on the Champion tract at FM 2222 and Loop 360, which abuts Jester Estates. Yet, additional development at the Champions tract and other parts of the Corridor is inevitable, as property owners have property right entitlements, many of which have been "grandfathered" from previous site permits. To prevent all new development in the Corridor would mean that the City would have to purchase additional lands for preserves in addition to that already planned for the completion of the Balcones Conservation Preserve.

Without the legal authority to create a Urban Growth Boundary, the City has created standards which are intended to minimize the environmental impact of new development in the WSS and WSR watersheds. The de facto strategy of the Comprehensive Watershed Ordinance and other development standards has been to limit new development over aquifers and important environmental features through low density development standards. . Yet, despite these strategies to minimize the impact of new growth in the DWPZ, new development continues in the area in a form that is increasingly fragmented and sprawling. In the Water Supply Rural Zone, for example, commercial development is limited to a mere 20 percent impervious cover. This creates the "green doughnut" effect: commercial buildings surrounded by a buffer of green space buffer. While this landscape buffering may help to conceal particularly ugly buildings along a scenic highway, the isolated and fragmented development pattern contributes to the growing traffic problem along RM 2222 and other similar corridors. This low density development pattern also consumes land at a phenomenal rate. The green buffering that occurs between developments is typically leftover open space, ill suited as bird habitat or for human recreation. This low density development pattern can be seen in a more built out form along Loop 360 from 183 to Lake Austin. The low density development pattern and disconnected street network has made Loop 360 a traffic problem and is hardly a pattern worth replicating.

Case Study 1

To fully appreciate the effect on the overlapping regulations, a set of case studies examined the impact of different regulations in terms of land consumption and land preservation. Density of projects are limited by a number of regulatory factors. In the 2222 Corridor, zoning has a less important role in influencing the yield of a piece of land than do the regulations in the Comprehensive Watershed Ordinance (CWO) and the Hill Country Roadway Ordinance (HCRO). A typical 3 story office building with 90,000 S.F. requires anywhere from 6.89 acres to 12.63 acres of net site area. The case study analyzed how much land is needed to develop the office building depending on the combination of HCRO and CWO regulations.

Within the Water Supply Suburban Watershed which allows 40% impervious cover for commercial projects, the floor to area ratios and height limitations seemed to be the limiting factor for development. In the HCRO low intensity areas, height limitations of 28 feet (lower than typically allowed for single family homes) severely limited the density of the project. The HCRO caps on F.A.R. limited the impervious cover to no more than 31%.

Within the Water Supply Rural Watershed, the 20% impervious cover restriction was the limiting factor, rather than the requirements of the HCRO. To stay within the 20% limit, a 90,000 S.F. office building needs from 11.02 to 12.63 acres (about 7 downtown city blocks) to meet existing regulations. This density of development (a ratio of 0.16 to 0.19 F.A.R.) has far too little critical mass to support either effective public transit or a pedestrian oriented environment. This low density development pattern tends to turn the residual areas between buildings and developments into fragmented open space buffers, which are usually too small to protect wildlife habitat, but act to further segregate land uses.

OFFICE BUILDING CASE STUDY 1 SUMMARY

Commercial Development Standards

Office Building with parking garage

Building: 90,000 SF

Case Study	WATERSHED TYPE		HCRO Low 0.20 max F.A.R.	HCRO Med 0.25 max F.A.R.	HCRO High 0.30 max F.A.R.
	Water Supply Suburban	Net Site Area	10.33AC	8.33AC	6.89AC
	40% max I.C.	I.C.	31%I.C.	26% I.C.	31% I.C.
		F.A.R.	0.20F.A.R.	0.25 F.A.R.	0.30F.A.R.
	Water Supply Rural	Net Site Area	12.63 AC*	11.02 AC	11.02 AC
	20% max I.C.	I.C.	20%I.C.	20%I.C.	20%I.C.
		F.A.R.	0.16F.A.R.	0.19 F.A.R.	0.19F.A.R.

** Note: Only permitted to build 2 stories in HCRO Low Intensity Zone*

Figure 2.9
Case Study 1 demonstrates how much net site area is needed to build a typical 90,000 S.F. office building in the 2222 Corridor

Case Study2: Alternative A

A second case study examined a hypothetical program for 2 office buildings in the Corridor to be built in the Water Supply Rural Watershed in the Hill Country Roadway Ordinance (HCRO) moderate zone Alternative A , planned under conventional standards without any transfers would consume 22.04 acres of open space as low density commercial development. In accordance with HCRO requirements, a 100 foot natural buffer setback is required. Buildings in a medium intensity zone must be setback 200 feet from the Corridor right of way to have a height limit of 40 feet, which is just enough to build a 3 story office building. Conforming to HCRO standards, 40% of the tracts are reserved for natural areas. Open spaces surrounding the office buildings are generally residual open space and not enough to promote wildlife. None of the two tracts are preserved as conservation areas.

OFFICE BUILDING CASE STUDY 2

WATER SUPPLY RURAL / HCRO MED. INTENSITY

2 3-STORY OFFICE BUILDINGS

ALTERNATIVE A

	TRACT 1	TRACT 2	TOTAL
	DEVELOPMENT 1	DEVELOPMENT 2	
NET SITE AREA (AC)	11.02AC	11.02AC	22.04AC
NET SITE AREA (SF)	473,684 SF	473,684 SF	947,368 SF
GROSS SF	90,000SF	90,000SF	180,000SF
I.C. S.F.	93,974SF	93,974SF	187,948SF
I.C. %	20.0%I.C.	20%I.C.	20%I.C.
F.A.R.	0.19F.A.R.	0.19F.A.R.	0.19F.A.R.
LAND CONSUMED	11.02AC	11.02AC	22.04AC
LAND PRESERVED	0.00AC	0.00AC	0.00AC
LAND PRESERVED %	0%	0%	0.0%

Fig. 2.10
Case Study 2: Alternative A shows the amount of land consumed by two typical office buildings as developed under existing regulations.

Case Study 2: Alternative B

The City of Austin Land Development code allows limited transfer of development rights within 1 mile of a tract. In the Water Supply Rural Watershed, developers may increase the on-site impervious cover of a commercial tract from 20% to 25% if additional land is purchased fee simple for a dedicated preserve. Therefore, in alternative B, 16.5 acres of land is developed for 2 office buildings with 5.5 acres purchased as a transferring tract and dedicated as either public open space or as a conservation easement privately held. Under existing regulations, the transferring Tract 2 must be within 1 mile of the receiving Tract 1.

Unlike the fragmented open space in Alternative 1, the scenario in Alternative B does set aside land as undeveloped preserve that can help protect endangered species. Overall water quality is protected as the effective impervious cover (the sum total of Tracts A and B) is 16.7%, less than the 20% limit. The limiting factor in this scenario is the 0.25 HCRO limit for land in a moderate intensity zone. The results from the scenario are rather mixed, however. The 5.50 acre Tract 2 that a developer purchases as a transferring tract may or not be integrated into a overall open space plan. Tract 2 may not be prime habitat land to preserve, but rather land of marginal value isolated from the rest of the preserves. The City has little control in terms of which lands are to be purchased as transferring tracts.

WATER SUPPLY RURAL / HCRO MED. INTENSITY
2 3-STORY OFFICE BUILDINGS (180,000 SF)
ALTERNATIVE B (25% w/ transfer)

	TRACT 1	TRACT 2	EFFECTIVE SITE AREA
	RECEIVING DEVOPMENT	TRANSFERRING PRESERVE	
NET SITE AREA (AC)	16.50 AC	5.50AC	22.00 AC
NET SITE AREA (SF)	718,740 SF	239,580 SF	958,320 SF
GROSS BUILDING SF	180,000SF	0SF	180,000 SF
I.C. S.F.	159,974SF	0SF	159,974 SF
I.C. %	22.3%I.C.	0.0%I.C.	16.7%I.C.
F.A.R.	0.25 F.A.R.	0.0F.A.R.	0.19F.A.R.
LAND CONSUMED	16.50 AC	0AC	16.50AC
LAND PRESERVED	0.00AC	5.50AC	5.50AC
LAND PRESERVED %	0%	100%	25.0%

Fig. 2.11
Case Study 2 Alternative B includes a transfer of development intensity allowed under existing regulations

Case Study 2: Alternative C

Unlike the existing development standards which allow transfers of development rights (TDR) from 20% to 25% in the Water Supply Rural Watersheds, Alternative C includes a receiving Tract A with 65% on-site impervious cover. Without the 0.25 F.A.R. HCRO limit, the office development would reach an F.A.R. of 0.73, which is compact enough to support transit. Tract B, the transferring preserve site includes 16.39 acres of off site preserve land which is set within the same watershed type, the Water Supply Rural watershed. In Alternative C, a developer may purchase the 16.39 and dedicate it as public habitat preserve or retain it as a private conservation easement. The effective impervious cover, combining receiving Tract A and the transferring Tract B is 16.7%, less than the 20% limit on impervious cover in the watershed.

In this scenario, which has not been adopted by the City of Austin, land eligible to become transferring tracts shall be designated in coordination with a comprehensive TDR master plan. The TDR master plan should be coordinated with the existing Balcones Conservation Plan (BCP). The City can help to direct the purchase of preserve lands that are appropriate and help to fulfill the goals of the BCP. In comparison to Alternative B (which preserved 25% of the combined tracts), Alternative C preserves 16.39 acres, 75% of the combined tracts. By encouraging compact development through the use of an aggressive TDR program, a higher level of open space is preserved in greater quantities. The compact approach in Alternative C1 (developed on 5.65 acres) can be built on smaller tracts of land and requires less expensive infrastructure. The disadvantage to the scenario is that it requires a developer to find and purchase a second tract of land. An appropriate piece of land to purchase as a transferring tract may not be immediately available.

WATER SUPPLY RURAL / HCRO MED. INTENSITY
2 3-STORY OFFICE BUILDINGS
ALTERNATIVES C1 and C2

	TRACT A	TRACT B	EFFECTIVE SITE AREA
	RECEIVING DEVOPMENT	TRANSFERRING PRESERVE	
NET SITE AREA (AC)	5.65 AC	16.39 AC	22.04 AC
NET SITE AREA (SF)	246,114 SF	713,948 SF	960,062 SF
GROSS BUILDING SF	180,000 SF	0 SF	180,000 SF
I.C. S.F.	159,974 SF	0 SF	159,974 SF
I.C. %	65.0% I.C.	0.0% I.C.	16.7% I.C.
F.A.R.	0.73 F.A.R.	0.0 F.A.R.	0.19 F.A.R.
LAND CONSUMED	5.65 AC	0 AC	5.65 AC
LAND PRESERVED	0.00 AC	16.39 AC	16.39 AC
LAND PRESERVED %	0%	100%	74.4%

Fig. 2.12
Case Study 2 Alternative C1 and C2 illustrate that a more aggressive transfer of development rights would create more preserved open space than the current TDR standard in the Land Development Code

As another option (Alternative C2), a developer could choose to purchase the development rights of a privately owned tract rather than purchase the land fee simple. For example, if transferring Tract B is an existing ranch land passed down to a family, the heirs could chose to sell their rights to develop the parcel of land by entering into an agreement with the developer of receiving Tract A. Tract B would forever remain undeveloped and stay within the ownership of the original family. The developer of Tract A could expect purchase the development rights of Tract B at a lower price than actually purchasing the land itself. The City's environmental interests are protected because the effective impervious cover stay under the 20% limit in the watershed. For this approach to be effective, a market for purchase and sale of development rights must be aggressively promoted as a Smart Growth strategy in the Corridor and elsewhere in the Drinking Water Protection Zone.

Case Study 2: Alternative D

Similar to Alternative C, Alternative D uses a transfer of development rights and allows an increase of on-site impervious cover to 65%. In this scenario, the developer of receiving Tract A would have the option of purchasing impervious cover from the City. The City, would act, in essence, as a land bank by using its own land holdings as a reserve of impervious cover. In this scenario, the developer would sell a 16.39 acre impervious cover credit to an applicant with receiving Tract A. To purchase this credit, the developer pays a fee per acre (the appraised value of Tract A per acre). In this example, the fee is set at $30,000 per acre, the appraised value of Tract A. This transfer fee is put into a Conservation Trust Fund, a pool of resources set aside specifically for the purchase of additional preserve lands. In Alternative D, the $491,000 in the Conservation Trust Fund can purchase an additional 16 acres of new preserve land.

One of the greatest advantages of the strategy in Alternative D is that transfers of impervious cover can be done within a framework of an overall master plan for preserving open space. The simplicity of paying a Conservation Trust Fund fee also encourages a strategy of building more compactly and slowing the consumption of large tracts of land for low density development.

WATER SUPPLY RURAL / HCRO MED. INTENSITY
2 3-STORY OFFICE BUILDINGS
ALTERNATIVE D

	TRACT A	TDR CREDIT	EFFECTIVE SITE AREA
	RECEIVING DEVOPMENT	TRANSFERING PRESERVE	
NET SITE AREA (AC)	5.65 AC	16.39AC	**22.04 AC**
NET SITE AREA (SF)	246,114 SF	713,948 SF	**960,062 SF**
GROSS BUILDING SF	180,000SF	0SF	**180,000 SF**
I.C. S.F.	159,974SF	0SF	**159,974 SF**
I.C. %	65.0%I.C.	0.0%I.C.	**16.7%I.C.**
F.A.R.	0.73 F.A.R.	0.0F.A.R.	**0.19F.A.R.**
LAND CONSUMED	5.65 AC	0AC	**5.65AC**
LAND PRESERVED	0.00AC	16.39AC	**16.39AC**
LAND PRESERVED %	0%	100%	**74.4%**

Transfer Fee Per Acre (per appraisal)	$30,000/ AC
Acres needed to transfer	16.39AC
Total Conservation Fee to buy additional preserve	**$491,700**

Figure 2.13
Alternative D

Summary

Like most communities, Austin's land development regulations are generally *proscriptive* ("thou shalt not"). They are based on various prohibitions against land development that is considered to be noxious, incompatible, or harmful to the environment. Although the proscriptive nature of the regulations is quite specific about what land use or development intensity is not permitted, the Land Development Code (LDC) does a poor job in describing or illustrating what form of development is actually preferred. Indeed the LDC itself is almost a completely reactive document, with little vision for what the city is intended to look like.

To encourage Smart Growth principles of compact development and open space preservation, the City will need to adopt a transfer of development rights strategy that is predictable, apolitical, flexible and simple to use. The sites that are worthy to be preserved as transferring sites should be part of a regionally based plan to protect open space.

The very development constraints, which are designed for environmental protection, may actually be having the very opposite effect. These well intended regulations contribute to a degraded form of low density sprawl development that is completely unsustainable in terms of infrastructure costs, land consumption, traffic generation, and air pollution.

While low density development in the 2222 Corridor may at first seem like a desirable way to reduce development impacts, in some cases the strategy has created the very opposite effect. The environmental damage from increased driving and rapid suburbanization of the landscape is part of the unintended consequences of mandating low density sprawl through land development regulations. The environmental impact of the automobile itself is manifested in poor air quality as well as the alarming consumption of energy and land. The creation of compact and walkable mixed use centers could be the most important factor in minimizes these impacts simply by reducing the amount of driving through a more effective land use development pattern. However, current LDC regulations in the Drinking Water Protection Zone make it virtually impossible to create communities or town centers that have enough critical mass to be considered truly walkable. The future of development in the 2222 Corridor and other environmentally sensitive lands is clouded by regulations that fail to articulate their intended result.

Consistent Goals for Land Development Regulations

Existing land development regulations and processes can often work at cross purposes with one another. The objectives of one set of regulations (for water quality) may work against those of another set of regulations (for compact growth). Regulations which may seem to address one important issue may neglect or even compound other important issues. Requiring most of the city to built at a very low density directly conflicts with the objective of building a compact Smart Growth city. These contradictions are often manifested among the different departments of the City itself. Highly specialized regulatory departments tend to discourage innovative solutions which may not fit within the conventional development pattern. Any new regulations or alternative standards for the RM 2222 Corridor or any other area should first identify the core objectives for regulations and eliminate any contradictions in policy. These principles should guide the content and process for land development regulation. These guiding principles should be viewed together and considered holistically. No one objective should supercede or contradict another objective, nor should each objective be considered without its impact on the other objectives.

Recommendations for a Smart Growth Strategy in the Corridor

Onegoal for the 2222 Corridor is to preserve as much contiguous open space as possible. To grow "smarter" in the Corridor, a set of strategies should be implemented that promotes consolidation of new development in the Corridor into more compact and mixed use developments. This compact development pattern should be combined with a comprehensive system that preserves open space and protects overall water quality in the watersheds.

Specific recommended alternative strategies include:

- As an alternative to existing standards that encourages development of large tracts of land for automobile-oriented low density development, **adopt an proactive set of standards that encourages transfers of development rights using conservation easements and conservation transfer fees.**

- As an alternative to raising additional taxes to purchase more land for preserves, **adopt a Conservation Trust Fund that helps to promote the acquisition of contiguous open space in the form of habitat preserves, recreational parks and greenbelts.**

- As an alternative to limiting impervious cover on a tract by tract basis, **adopt standards that consider the effective impervious cover created by combining multiple tracts.**

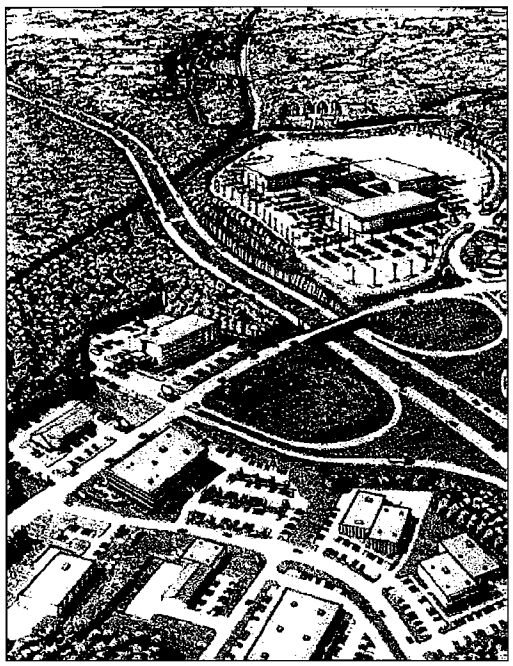
- As an alternative to zoning standards which encourage the segregated development of conventional office parks, apartment complexes, and strip retail centers, **adopt standards**

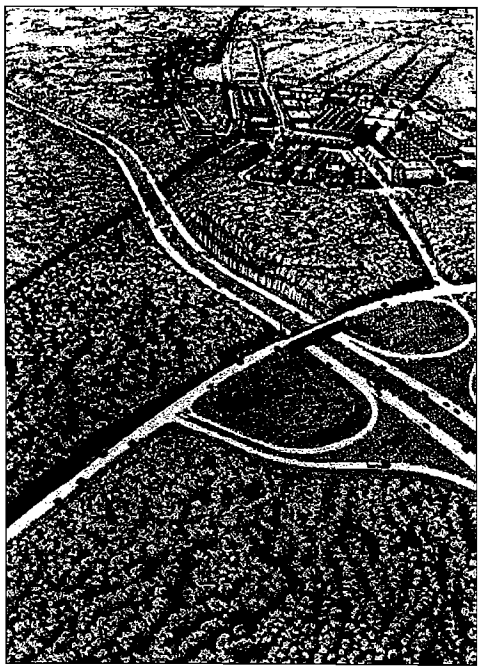
which promote integration of land uses in the form of compact mixed use Town Centers.

- As an alternative to subdivision and other land development standards which promote large lot suburban subdivisions as the only permissible from of residential development, **adopt standards which promote the development of compact residential areas in the form of walkable Traditional Neighborhood Developments.**

Each of the strategies independently are not enough to change the momentum of the conventional land development pattern referred to as "sprawl". A comprehensive strategy is needed immediately to promote the creation of new preserves, neighborhoods and town centers in the 2222 Corridor and elsewhere.

A typical development pattern along major corridors and highway intersections: a newly expanded road or loop suddenly creates new opportunities for commercial development (Figure 2.15a). Without alternative design standards, a low development sprawl pattern emerges with segregated land uses separated by buffers. (Figure 2.15b) An alternative compact scenario uses transfers of development rights (TDRs) and Town Centers as part of a comprehensive strategy to preserve contiguous open space and promote walkable communities. (Figure 2.15c)



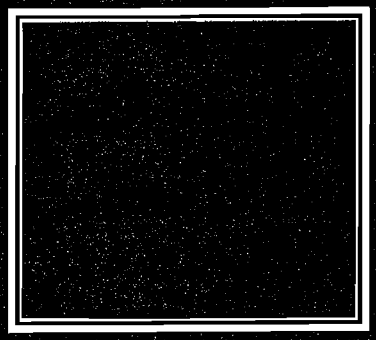


PART III
The Community Vision Survey

The 2222 Corridor Study

Internet Survey
November 6, 2001

Community Vision Survey Results



Who took the survey?

- 445 respondents (within 5% accuracy)
- All Central Texans are stakeholders
- 51% live directly adjacent to Corridor
- 22% work in the Corridor

How would you describe your household?

- 39.8% couple with children
- 28.3% couple with no children
- 13% single living alone
- 12.1% empty nester with grown children
- 4.3% single with roommate
- 2.5% single parent with children
- 57.7% do not live with children

What is your age?

- 47.4% 36 to 50 year old
- 24.3% 23 to 35
- 22.5% 51 to 64
- 4.7% 65 and older
- 1.1% 16 to 22

Where do you work?

- 20.3% work downtown or at the University
- 79.7% work in suburban locations
- 22% work along 2222
- 8.5% work from home
- 8.3% do not work

How long is your commute?

- 36.2% 15 to 30 minutes
- 25.8% 5 to 15 minutes
- 13.3% 30 to 45 minutes
- 8.5% work from home
- 8.3% do not work / retired
- 5.8% less than 5 minutes
- 2.0 more than 45 minutes

What do you look for in a neighborhood?

- #1: Appealing character of neighborhood homes (50.4%)
- #2: Low crime rate (45.4%)
- #3: Short commute to work (43.9%)
- #4: Scenic views of natural features (37.6%)
- #5: Good public schools nearby (28.5%)
- #6: Able to comfortably walk to parks and shops (22.2%)
- #7: Large lot (more than 1 acre) (19.7%)
- #8: Convenient to shopping (17%)
- #9: Nearby community pool (11.2%)
- #10: Near family and friends (9.8%)
- #11: Located on a cul de sac (8.7%)
- #12: Prestigious address (4.0%)
- #13: Located adjacent to a golf course (1.3%)

DESIGN MATTERS

- #1 priority: Appealing aesthetic character of neighborhood homes
- 50.4% ranked as one of top 3 priorities
- 18.2% ranked as top priority
- Architecture, landscape, and streetscape design critical

DESIRE FOR SAFETY

- #2 priority: Low crime rate
- 15.3% ranked as top priority
- 45.4% ranked as one of top 3 priorities
- One of the reasons many people choose suburban neighborhoods

SHORTER COMMUTES

- #3 priority: Short commutes
- 16.4% ranked as top priority
- 43.9% ranked as one of top 3 priorities
- 31.6% have a commute less than 15 minutes
- 21.3% work downtown or at the University
- New pattern of commuting from suburb to suburb

SECONDARY ISSUES

- # 4: Natural features and views important (#4 @37.6%)
- #5: Desire for good schools for those who have children (37.6%) (58% did not have children)
- #6: Walkable neighborhoods (22.2%)

LEAST IMPORTANT FACTORS (20% or less)

- #7: Large lots (19.7%)
- #8: Convenient shopping (17%)
- #9: Nearby community pool (11.2%)
- #10: Near family and friends (9.8%)
- #11: Located on a cul de sac (8.7%)
- #12: Prestigious address (4.0%)
- #13: Located adjacent to golf course (1.3%)

HOW DO KIDS GET TO SCHOOL?

- 59% are driven by the family car
- 9.6% driven by car pool
- 23.9% driven by school bus
- 2.1% bicycle to school
- 5.3% walk to school

IS IT SAFE ENOUGH FOR A 10 YR. OLD TO WALK OR CYCLE TO THE NEAREST STORE?

- 44.3% said that it was too far to walk
- 27.2% said it was close enough, but unsafe
- 28.5% said that it was close enough and safe

HOW CLOSE IS THE NEAREST RECREATIONAL PARK?

- 34.6% within a safe 5 minute walk
- 23.6% within a safe 10 minute walk
- 41.8% not within safe walking distance

HOW OFTEN DO YOU WALK AT LEAST ONE BLOCK IN YOUR NEIGHBORHOOD?

- 29.0% walked 2 to 6 times a week
- 27.6% said they walked daily
- 21.1% said they walked once a week
- 19.1% said they rarely walked in their neighborhood
- 3.1% said they never walked in their neighborhoods

HOW MANY VEHICLES DO YOU HAVE IN YOUR HOUSEHOLD?

- 61.8% have 2 vehicles
- 16.4% have 3 vehicles
- 15.3% have 1 vehicles
- 5.8% have 4 or more vehicles

HOW MANY TRIPS DO YOU TAKE IN YOUR CAR ON A TYPICAL WEEKDAY?

- 45.2% take 3 to 5 trips per day per vehicle
- 43.6% take less than 3 trips per day per vehicle
- 6.5% take 6 to 10 trips per day per vehicle
- 3.1% take more than 10 trips per day per vehicle
- Only 1.6% didn't drive or took transit

HOW MUCH ECONOMIC DIVERSITY?

- 7.4% preferred to have neighbors earn within 10% of their own income
- 32.8% preferred to have neighbors earn within 20% of their own income
- 38.4% preferred to have neighbors earn within 50% of their own income
- 21.3% preferred to have neighbors earn within 10% of their own income

HOW OFTEN DO YOU DRIVE ON 2222 ON A TYPICAL WEEKDAY?

- 36% 1 to 3 times per day
- 22% 3 to 6 times per week
- 17.8% rarely drive on 2222
- 16% once per week
- 7.9% more than 4 times per day

PART IV
Alternative Development Standards

Section 1
THE PURPOSE OF THE TOWN CENTER PLANNED UNIT DEVELOPMENT

The Town Center Planned Unit Development (TC-PUD) is an alternative set of development standards that is available as an option to developers in suitable areas. The alternative set of standards allows greater density and therefore more allowable development on eligible sites in exchange for more prescriptive development standards that contribute to more compact and walkable projects.

Figure 4.1
A Town Center Development (TCD) in Celebration, Florida includes a mix of uses including apartments, retail, and civic uses. Buildings are aligned close to the street.

THE ISSUE OF SPRAWL

The existing low density sprawl development pattern typical in the FM 2222 Corridor and other suburban areas is driven by many overlapping causes. Low impervious cover regulations, segregated land use zoning, topography, and autocentric transportation planning and continuing demand for scenic suburban locations are among many of the factors that contribute to sprawl

Traffic Congestion and Density

The surprising level of traffic in areas with low amounts of development raises an important issue. What is the relationship between density and driving? In suburban development patterns like the FM 2222 Corridor, traffic is funneled onto a single roadway (FM 2222) from adjacent subdivisions, office parks, apartment complexes, and retail strip centers. Lack of connecting streets and segregated development "pods" have contributed to a rapidly escalating traffic volume on arterials in spite of the low levels of development. Also contributing to higher traffic volumes is the new development occurring beyond the zoning jurisdiction of the City of Austin. What is clear is that people are simply driving more often and for longer distances.

Poor Air Quality

There is a high probability that in the near future, Austin will join cities like Dallas and Houston by being designated by the EPA as being in "non-attainment", the official federal designation for a community with a serious air pollution problem. The blame for Austin's declining air quality cannot be shouldered by any one highway corridor. However, any effort to reduce the number of miles driven or vehicular trips taken can help to reverse the trend.

Loss of Contiguous Open Space

The Central Texas community seems to have achieved consensus on one issue – open space is a precious resource that is highly valued and should be protected. Groups differ, however, on the best strategy to protect environmentally sensitive land in a way that is responsible, predictable and fair.

Low density development has been the mantra of many who want to mitigate the effect of development on the land. Yet low density development, with its "buffers", long roadways, and segregated land use pattern can have the effect of fragmenting open space into leftover undeveloped parcels that are unsuitable for human recreation or wildlife habitat. The preservation of contiguous open space, part of the objective of the Balcones Canyonlands Conservation Plan, can complement and even facilitate the creation of walkable compact communities and town centers.

Poor Walkability

One of the most unfortunate consequences of most low density sprawl development is they are not designed to be walkable. New development is thoroughly engineered for efficient flow of water, sewage, traffic and drainage. Walkablity, however, is usually not a criteria.

Some of Austin's most cherished neighborhoods are those in the older central portion of the city, built before World War II. Beyond the historic and charming character of the neighborhoods, part of their appeal is that they are considered to be "walkable". A "walkable" community is one in which pedestrians and cyclists feel both safe and comfortable on neighborhood streets. A walkable community is one in which one can have access to commercial goods and services without always needing a car to do it. Most new low density commercial development suffer from poor walkability for the following reasons:

- Overly wide streets are designed exclusively for moving cars through at high speeds with little consideration for pedestrian comfort or safety.

- Commercial and retail areas are separated from other complementary land uses.
- Lack of pedestrian amenities such as shade, or adequate sidewalks
- Disjointed freestanding buildings that fail to create a coherent and inviting place for pedestrians to stroll or linger.
- Site plans with oversized surface parking lots that are designed entirely for the drive-in consumer.

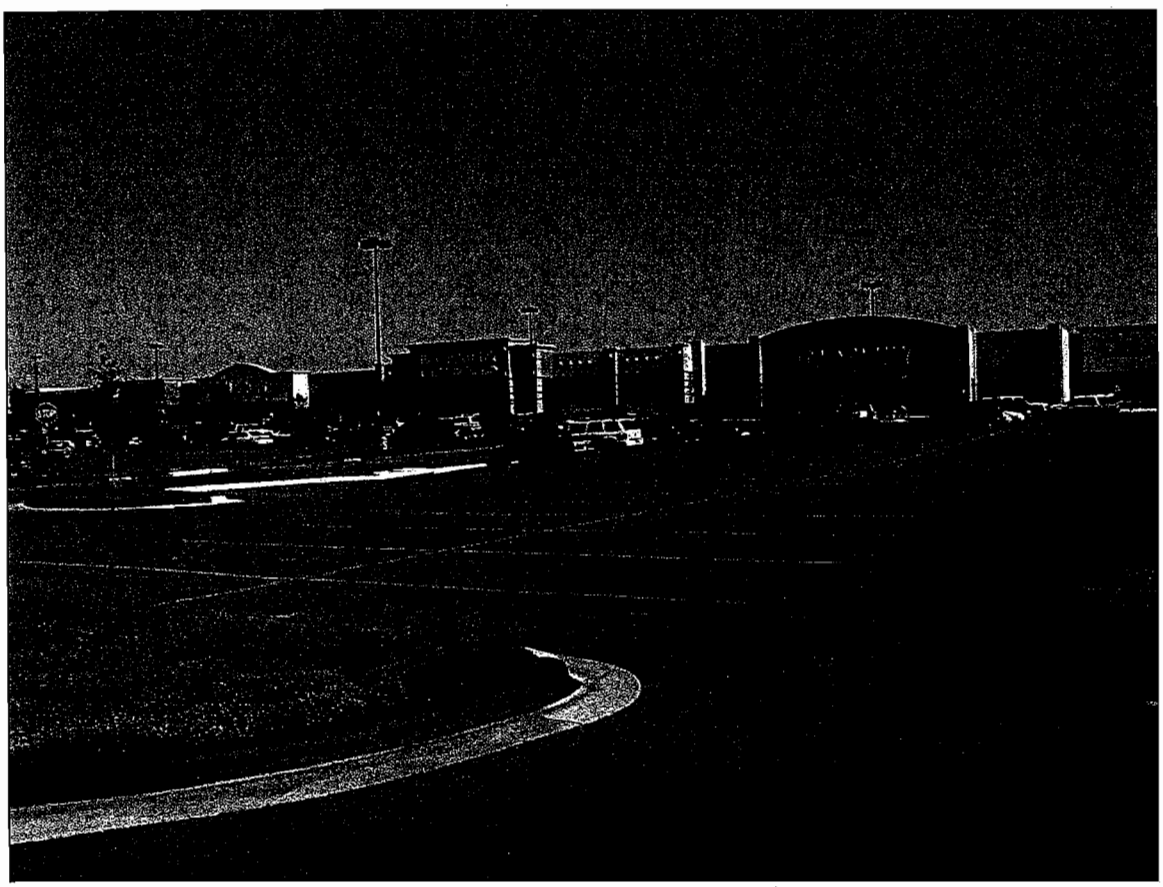


Figure 4.2
Conventional commercial developments are designed for convenient parking, but often lacks the qualities that make a place that is considered "walkable" or inviting for pedestrians. Most new development approved under existing standards are similarly oriented to automobiles.

General Goals for the 2222 Corridor

New planning efforts to deal with issues in the 2222 Corridor should have the following general goals:

1. Maximize the Preservation of Open Space

Adopt policies that encourage the preservation of contiguous open space for the protection of wildlife, water quality, and natural beauty

2. Minimize the Number of Vehicular Trips on Highways and Cross Town Arterials
   Adopt policies that minimize traffic use on cross town thoroughfares and highways by reducing demand.

3. Promote Alternative Forms of Transportation
   Adopt policies that promote walking, cycling and transit as a viable and convenient alternatives to automobile use.

4. Design for Pedestrian Comfort and Safety
   Adopt policies that specifically promote pedestrian comfort and safety as a primary design criterion.

General Planning Strategy: Compact Development and Land Preserves

As an alternative to the current regulatory framework that promotes low density sprawl development in the 2222 Corridor, the City of Austin should adopt a general planning strategy that encourages compact development in the form of Town Centers and Traditional Neighborhood Development. The City of Austin will encourage limited compact development in the FM 2222 Corridor as it continues to acquire and secure additional lands for preserves. As part of the general strategy of compact development and land preservation , the City of Austin should adopt the Town Center Planned Unit Development Ordinance, an incentive program which will allow limited increases in building densities as a mechanism for promoting walkable Town Center Development and additional public open space.

The Town Center Planned Unit Development Ordinance promotes the following specific planning objectives:

- Objective 1: Promote Town Center Developments that are generally appropriate in size and location
- Objective 2: Promote Town Center Developments that have minimal environmental impact on the larger region
- Objective 3: Promote Town Center Developments that have integrated, cohesive, and unified master planned concepts
- Objective 4: Promote Town Center Developments that minimize the impact of parking on the public realm
- Objective 5: Promote Town Center Developments that have an integrated mixture of land and building uses.

general characteristics of TOWN CENTER DEVELOPMENT (TCD)

A Town Center Development (TCD) is a compact, mixed use development that is limited in size and designed to promote pedestrian comfort and safety. Unlike a new urbanist Traditional Development (TND) which usually includes a small commercial neighborhood center and a mixture of attached and detached single family homes, a Town Center Development is generally includes more commercial buildings (office and retail) with some higher density housing. Housing in a TCD, takes the form of apartments, lofts, work-live units, or attached townhouses. Detached single family houses are not part of a TCD.

Integrated Mixed Used

A Town Center Development (TCD) includes a diversity of building uses including retail, office, attached housing, and civic. Because a variety of goods and services are located within convenient proximity of each other, Mixed-use developments reduce additional vehicular trips and therefore facilitate better traffic management.

A TCD differs from a multiple-use project, which may include several different unconnected land uses within a single development. Within a multiple use project, different building uses (strip retail, pad restaurants, and "garden" apartments) are poorly connected by with linkages limited by landscape buffers, security fences, and surface parking lots. A TCD, however, integrates a diversity of uses seamlessly within the framework of a street and block development pattern. A TCD uses the traditional street as the unifying element. The Incentive Matrix encourages developers to consider vertical mixed use in which one building use (apartments, for example), may be other upper floors with another building use on the ground floor (such as retail).

As part of the General Standards required in the TC-PUD, a TCD is required to include a minimum of two different building uses to be eligible for alternative standards. In the Incentive Matrix, TCD proposals are rewarded with additional points for including a great diversity of building uses. (See Article 4, Incentive Matrix).

Compact Density

A Town Center Development (TCD) is more compact than other suburban commercial and multifamily projects. Unlike conventional low-density development in which different free standing buildings are separated by parking lots and landscape buffers, a TCD concentrates buildings and streets together as a unified development node. The close proximity of goods and services in a TCD encourages pedestrian activity and makes driving less necessary. A more compact development allows for greater efficiency and cost savings. The mixed-use development pattern allows different buildings to share common streets, parking, and other infrastructure. Compact TCDs also support the use of mass transit, which is benefited by concentrating development nodes (or Transit Oriented Development) near transit stops. Concentrating commercial development into compact and walkable Town Center Development would help to reduce the amount of land consumed along highways by low-density sprawl commercial development.

Street and Block Development Pattern

Unlike conventional strip commercial development in which freestanding buildings sit on independent parcel along side a highway or arterial street , a TCD is organized with a traditional network of internal streets which connect to the adjacent arterial or highway. The street and block are the primary organizing system for a TCD and allow for great flexibility.

Urban Space

Town Center Developments include a centrally located urban park or square that is a focal point. Unlike the landscape buffers and ornamental landscape typical in most conventional suburban commercial developments, the urban space in TCD is intended to be a functional gathering place that will complement the compact nature of the surrounding blocks.

Building Edges

Town Center Developments consists of buildings that have an urban architectural character which helps to define the public realm of the street. Like urban streets in a downtown or neighborhood main street, buildings in a TCD have little or no setbacks from the street sidewalk. Buildings close to the sidewalk help to create a street wall that helps to create the effect of the street as an outdoor room. Building walls are typically parallel to the street with few angles, saw tooth edges or complex shapes. The architecture of the buildings in a Town Center Development include elements which give the streetscape a more urban quality; arcades, balconies, awnings, stoops, and towers give the Town Center Development a human scale.

Parking

Town Center Development accommodate the needs of automobiles with adequate parking that does not detract from the overall urban design. Parking in a TCD is handled in several different ways. On street parking (angled or parallel) is provided on local streets in the TCD. On street parking is an important part of calming traffic on TCD streets. The on street parking, when designed as part of the collective streetscape, provides an important buffer that shields strolling pedestrians from moving traffic. Retail businesses needthe minimal amount of parking in front of stores that on street parking provides. Surface parking is relegated to the rear of buildings with pedestrian paseos that link rear parking lots with the primary TCD street. Surface parking is landscaped with shade trees. Increasing the density of a Town Center Development often requires the construction of structured parking garages or underground parking. Structured parking is significantly more expensive than surface parking. Structured parking in a TCD is designed to be architecturally compatible with adjacent buildings, hidden behind other buildings and landscape, or wrapped with occupied buildings.

Network of Connecting Streets

Town Center Developments feature streets that are ideally connected to adjacent neighborhoods and commercial development. This connecting network provides a "back door" to the Town Center and helps to minimize traffic on the adjacent highway or arterial corridor. Within the TCD itself a web of streets helps to diffuse traffic throughout the project. A variety of street types including commercial main streets, boulevards, side streets, and alleys are typically part of a Town Center Development.

Narrow Streets for People and Cars

Within a TCD streets are designed both for cars, pedestrians, and cyclists. Streets are intentionally constructed with slow design speeds for pedestrian safety. Streets are narrower that the typical high speed streets mandated by current commercial street standards. The combination of wide sidewalks, narrow streets and smaller turning radii helps to create a streetscape that is more than a mere utilitarian route for channeling cars, but rather a place that is inviting for people to stroll and linger.

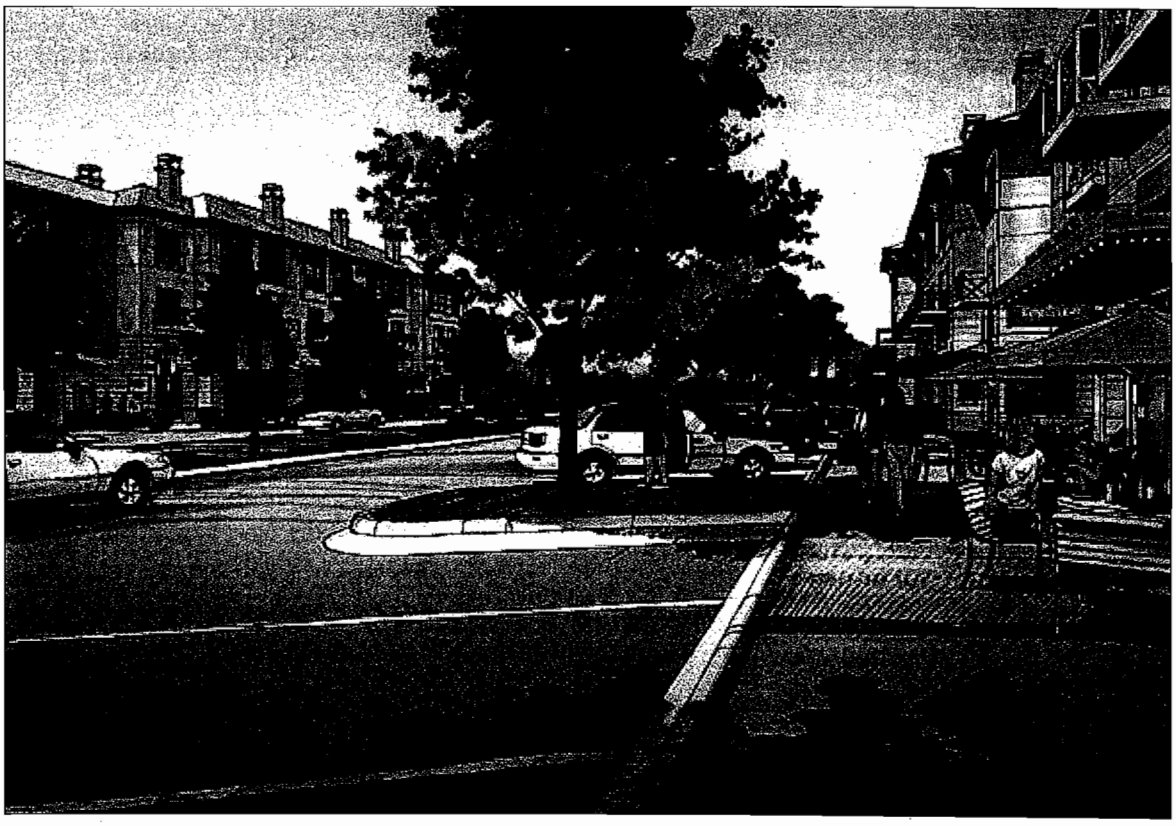


Figure 4.3
A Main Street streetscape environment accomodates vehicles, but is still comfortable and inviting for pedestrians.

THE TOWN CENTER P.U.D. BONUS PROVISIONS

The Town Center Bonus Provisions are an alternative set of development standards that is available as an option to developers in suitable areas within the FM 2222 Corridor and other HCRO corridors. The alternative set of standards allows greater density and therefore more allowable development on eligible sites in exchange for more prescriptive development standards which contribute to more compact and walkable projects.

Alternative Development Standards

The alternative development standards represent an optional set of standards and incentives. The standards do not replace existing zoning and other site regulations, but are meant as an alternative set of standards. All pre-existing zoning and other land development regulations remain in effect if a developer chooses to build a conventional suburban development (CSD) instead of the TCD option on a site that is eligible for bonus standards. The alternative development standards include TCD General Standards, Incentive Zoning Matrix, and the Conservation Trust Fund (CTF).

TCD General Standards

The TCD General Standards include all of the alternative standards required for developing a Town Center Development. Should the General Standards conflict with the preexisting underlying zoning and site development regulations, the General Standards shall supersede other City of Austin regulations. All other county, state, and other applicable development regulations shall remain in effect.

Town Center Incentive Matrix

The TC-PUD Incentive Matrix is a points-based table of criteria that allows an applicant to increase the allowable development yield based on additional performance that exceeds the minimum general standards already required. The TC-PUD Incentive Matrix is similar in philosophy as the City of Austin Smart Growth Matrix, which offers fee waivers and other financial incentives to promote mixed-use compact infill development within the urban core. However, the TC-PUD Incentive Matrix uses additional density, instead of fee waivers, as an incentive for high quality walkable development.

Private Transfers of Development Rights (TDRs)

Existing impervious cover regulations often impede the development of more compact and walkable projects. Under the TC-PUD strategy, a developer would eligible to transfer development intensity in the form of impervious cover. One approach to getting more impervious cover on a particular site is for a developer to purchase a second transferring tract within the same watershed and preserve it with a conservation easement or by dedicating the transferring tract as permanent public open space. The combined tracts are combined to keep the net impervious cover within the limits set by the Comprehensive Watershed Ordinance (CWO).

Conservation Trust Fund

As alternative to a private purchase of transferring tracts, a Conservation Trust Fund is proposed as land banking system that would allow applicants to purchase impervious cover credits for a fee. The TC-PUD standards allow developers to increase the allowable impervious cover on a specific parcel of land. If an applicant proposes a TCD project which meets the criteria of the TC-PUD General

Standards and scores high enough on the Incentive Matrix to earn density credits, the project will be eligible to participate in the Conservation Trust Fund (C.T.F.). The C.T.F. is a program that allows developers to effectively transfer impervious cover from preserve lands or "transferring"tracts. In addition to purchasing private tracts of land to be dedicated as preserve land, a developer may choose to pay a transferring fee per acre to the City of Austin based on the City's existing but unused rights from selected BCP properties. The transfer fee is put in escrow in the Conservation Trust Fund, a fund reserved only for the purchase of preserve land. The transferring fund would be allocated for purchasing preserve land within the same watershed as the TCD project site. The C.T.F. program would assure that water quality would not be adversely affected by new compact development built under the TC-PUD standards.

SECTION 2
ALTERNATIVE TC-PUD DEVELOPMENT PROCESS

Should the City Council adopt the Town Center Planned Unit Development (TC-PUD) Ordinance, a flexible alternative set of standards would be available. Planned Unit Developments are on the books as option to developers, who may negotiate variances and customized zoning for specific tracts. The PUD process has often had mixed results. Unlike a conventional PUD, the proposed TC-PUD sets specific objectives and performance-based criteria. Incentive proposals are to be reviewed by City staff and approved administratively; the final approval for TC bonus approval and incentives does not require final approval of the Planning Commission.

THE ALTERNATIVE DEVELOPMENT PROCESS

The TCD development approval process includes the following procedures:

Step 1: Submit Preliminary TCD Site Design Concept for Review

Applicants seeking a TC shall submit a preliminary concept plan for preliminary review and recommendations by City of Austin staff. Preliminary submittal requirements include:

- Illustrative site plan showing design concept
- Perspective renderings showing architectural character and streetscape
- Development agreement draft describing commitment to objectives in TC-PUD Incentive Matrix.
- Site analysis illustrating site constraints and existing conditions

Step 2: Preliminary Concept Plan Reviewed By City of Austin Staff

City of Austin staff shall review preliminary concept plan according to alternative TC-PUD standards and score according to the Incentives Matrix. Staff planners will make recommendations for improving Matrix score.

Step 3: Refining of Concept Plan by Applicant

The applicant shall make any necessary revisions to the concept plan in prior to resubmitting for final submittal and scoring according to the TC-PUD Incentive Matrix.

Step 4: Submit Final Concept Plan and Development Agreement

The applicant shall make final submittal for TC-PUD approval. Final submittal shall include the following:

- Illustrative site plan showing design concept
- Perspective renderings showing architectural character and streetscape
- Development agreement draft describing commitment to objectives in TC-PUD Incentive Matrix.

- Site analysis illustrating site constraints and existing conditions

Step 5: Final Incentive Matrix Scoring

City staff shall make final review of the concept plan and score the proposed TCD project according to the TC-PUD Incentive Matrix. The score of the Matrix will determine the smart growth rating and consequently the degree of density incentives awarded.

Step 6: Submittal for TC-PUD Permit

Applicants submitting a specific site plan for a TC-PUD approval follow standard City of Austin approval process as described in the Land Development Code. Like a standard Planned Unit Development application, the TC-PUD requires the review and approval of the Planning Commission, the City Council and other necessary boards and commissions.

Step 7: Site Development Review and Approvals

City of Austin shall review the site plan and make approval if appropriate.

Step 8: Payment Toward Conservation Trust Fund

If the project is utilizing development rights purchased from the City, the applicant will pay to transfer impervious cover from preserve areas. This fee shall be kept in escrow as part of the Conservation Trust Fund (CTF). The CTF fee shall go toward the purchase of additional preserve lands within the same watershed as the proposed TCD.

APPEALS AND VARIANCES

Applicants may modify general development standards or other requirements by appealing to the Planning Commission with final approval by the City Council.

SECTION 3
GENERAL STANDARDS

The Town Center Bonus process is an alternative set of development standards that is available as an option to developers in suitable areas. The alternative set of standards allows greater density and therefore more allowable development on eligible sites in exchange for more prescriptive development standards which contribute to more compact and walkable projects.

APPLICABILITY

The Town Center Bonus may be applied within the 2222 Corridor from West of Loop 360 to RM 620. The Town Center Overlay may not be applied within existing Balcones Canyonlands Preserves.

EXISTING STANDARDS ENTITLEMENTS

Applicants applying for TC-PUD site development approvals shall not forfeit preexisting approved site development entitlements.

TC-PUD SIZE

The size of a TCD project shall be measured in terms of gross site area and shall include any internal streets dedicated as part of the public right of way. A TCD project shall be a minimum of 10 acres in gross site area. A TCD project shall be a maximum of 80 acres in gross site area

BUILDING / LAND USE STANDARDS

Proposed TCD projects submitted for TC-PUD approvals must adhere to the following minimum general standards for mixed use:

Minimum Mixed Use

Proposed Town Center Developments shall have a minimum of two primary building / land uses.

Maximum Single Building Use

No single building / land use shall occupy more than 80% of the gross building S.F. of the TCD.

General Allowable Building Uses

The following general building / land uses are permitted by right:

- Office
- Retail
- Multifamily Attached Housing
- Civic
- Work / Live Units

Generally Prohibited Building Uses

Certain building / land uses are not pedestrian oriented and therefore not compatible with Town Center Development. The following general building / land uses are prohibited.

- Automobile related enterprises including the sales refueling and repair of automobiles
- Drive through retail such as motor banks and drive through fast food restaurants
- Sexually oriented businesses
- Heavy and light manufacturing requiring the use of large 18 wheel truck
- Detached Single Family Houses on lots more than 3,000 S.F.

Building Use Minimum Thresholds

Minimum gross areas are considered thresholds for counting a building use as one of the two primary building / land uses.

- Retail / Restaurant: 25,000 S.F.
- Office: 50,000 S.F.
- Attached Multifamily Housing: 50 dwelling units
- Civic Uses: 2,000 S.F.

REQUIRED OPEN SPACE

Public open space in a TCD is intended to be an active gathering place located centrally located place in the project. All projects submitting for incentives shall meet the following requirements:

- Town Center shall have a minimum of one public square or pocket park.
- The park or square shall be not less than 1/2 acre in size.
- The park or square shall be no more than 2 acres in size.
-
- The park or square may remain privately owned and maintained or may be deeded to the City of Austin Parks Department.
- No building shall not be more than 1000 feet from the pocket park or square.
- Additional parks or squares may be built for incentive points and density credits

SCENIC HIGHWAY ROADWAY BUFFERS

- A 100 ft. natural buffer shall be maintained parallel to any FM 2222 or any other designated Hill Country scenic roadway.
- No building shall encroach into the 100 buffer.
- Projects which revegetate previously developed buffers may receive incentive points.

BUILDING HEIGHT LIMITS

Height limits in the Town Center Overlay Zones shall supercede other height limitations specified in the Land Development Code.

- Buildings in the Town Center shall not exceed 75 feet or 5 stories.
- Height limits shall not include unoccupied roofs, parapet walls, ornamental towers, or mechanical screening.

Section 4
INCENTIVE MATRIX

The Town Center Bonus Incentive Matrix is an optional points based table of criteria that allows an applicant to increase the allowable development yield based on additional performance that exceeds the minimum general standards already required. The TC-PUD Incentive Matrix is similar in philosophy as the City of Austin Smart Growth Matrix, which offers fee waivers and other financial incentives to promote mixed-use compact infill development within the urban core. However, unlike the Smart Growth Matrix, the TC-PUD Incentive Matrix uses additional development rather than fee waivers as the primary incentive for fulfilling the criteria.

THE PURPOSE OF THE TC-PUD INCENTIVE MATRIX

The Town Center Planned Unit Development (TC-PUD) Incentive Matrix establishes planning objectives which help to support general goals for the 2222 Corridor (Section 1.1.2). The Matrix is part of a general planning strategy (Section 1.1.3) to encourage compact development and acquisition of preserve lands in the 2222 Corridor. The Incentive Matrix (see Appendix for Matrix Worksheet) promotes Town Center Development and the funding of new preserve lands and establishes five primary objectives:

- Objective 1: General Size and Location
  Create a Town Center Development (TCD) that is generally appropriate in size and location. Create a Town Center Development (TCD) that has minimal negative environmental impact on the larger region.

- Objective 2: Environment
  Create a Town Center Development (TCD) that has minimal negative environmental impact on the larger region.

- Objective 3: Master Planning
  Create a Town Center Development (TCD) that is has an integrated, cohesive, and unified master planned concept.

- Objective 4: Parking
  Create a Town Center Development (TCD) that minimizes the impact of parking on the public realm.

- Objective 5: Mixed Use
  Create a Town Center Development (TCD) that has an integrated mixture of compatible building and land uses.

CRITERIA MATRIX

Section I: General Criteria

- *Objective 1: Create a Town Center Development (TCD) that is generally appropriate in size and location.*

Process

Criteria elements encourage input from surrounding neighborhoods and support of the City of Austin Environmental Board.

- Support of adjacent neighborhood associations
- Support of Environmental Board

Location

Criteria elements encourage Town Center developments that are near existing major transportation corridors, employment centers, housing, or on redevelopment sites.

- Immediately adjacent to highway or arterial street
- Located at highway or arterial intersection
- Redevelopment of existing "greyfield" commercial development
- Located within 1/2 mile of major employment (more than 125,000 SF of office)
- Located within 1/2 mile of major housing (more than 500 DU)

Section II: Environment

- *Objective 2: Create a Town Center Development (TCD) that has minimal negative environmental impact on the larger region.*

Water Quality

Criteria elements encourage innovative practices in that protect water quality and manages stormwater runoff.

- Innovative use of water quality wet pond amenities
- Inovative water quality techniques that reduce the total volume of runoff from a site after development.
- Inovative techniques that provide inhanced treatment

Landscape

Criteria elements encourage excellence in landscape screening, beautification, tree protection and highway buffers.

- Revegetate landscape in highway buffer in redeveloped areas / landscape beautification in buffer
- Use of drought tolerant native landscaping / preservation of natural vegetation

- Landscape screening of detention ponds and utilities in excess of minimum required standards
- Protected tree mitigation exceeds 50% of tree replacement / design incorporates existing trees
- Construction of trails systems along scenic highway corridors.

Sustainability

Criteria elements encourage innovative practices in sustainability and green building.

- Use of rainwater harvesting systems or other innovative sustainable technologies
- Green Building or LEED sustainability index

Section III: Master Planning

- *Objective 3: Create a Town Center Development (TCD) that is has an integrated, cohesive, and unified master planned concept.*

Urban Square / Park

Urban Park / Square criteria elements encourage the creation of centrally located usable, accessible urban open space in the form of small pocket parks, plazas, and squares.

- Park or square surrounded by buildings on at least 50% of perimeter
- Public open space area exceeds min. required by 20% or more
- Public park amenities: fountain, outdoor art, pavilion, etc.

Street Connectivity

Street connectivity criteria elements encourage multiple automobile and pedestrian connections to adjacent development; an interconnecting interior network of multiple interior automobile and pedestrian routes are also promoted.

- Provide direct auto connections to future or existing adjacent dev.
- Provides direct pedestrian and bike connections to future or existing adjacent development.
- Narrow streets or driveways with slow design speed (TND standards)
- Continuous internal sidewalk network with multiple routes
- Master Plan organized in street and block development pattern (not isolated pod or pad site development)
- Multiple connecting internal street network

Alternative Transportation

Alternative Transportation criteria elements encourage urban design features that help to support the use of transportation alternatives to the automobile including walking, cycling, "park once" mixed use environments and transit.

- Within 1/4 mile of existing or planned public transit stop / participation in private shuttle system
- Transit plaza / bus turn out lanes / park and ride facilities
- Transportation Demand Management Plan
- Bike commuter facilities exceed minimum COA standards (bike racks, striped bike lanes, showers)

Architectural Design

Architectural Design criteria elements encourage architectural features that give vitality to the streetscape and promote better walkability.

- Buildings outside of buffer built to right of way as semi-continuous street wall (not less than 70% of street frontage)
- 50% or more fenestration at commercial frontage (lack of blank walls)
- Urban architectural elements: Arcades, balconies, stoops, french windows, and awnings

Streetscape Design

Streetscape Design criteria elements encourage amenities which contribute to pedestrian comfort and safety.

- Street trees minimum 4" caliper at 50' on center on street frontages
- Use of smaller scale pavement (pavers or concrete scoring)
- Angled or parallel on street parking along street frontages
- 10 ft. sidewalk along street or driveway frontage
- Provision of pedestrian scale street lighting
- Crossing treatment at street or driveway corners (bulb outs, crossings)
- Continuous internal sidewalk network
- Transparent (non-reflective) glazing
- Pedestrian compatible signage meets the requirements of TND sign standards

Section IV: Parking

- *Objective 4: Create a Town Center Development (TCD) that minimizes the impact of parking on the public realm.*

Surface Parking

Streetscape Design criteria elements encourage amenities which contribute to pedestrian comfort and safety.

- Parking lot tree landscaping exceeds min. COA standards by 20%
- Parking is shared by different businesses or uses
- 80% of onsite parking is provided at rear of buildings
- Parking doesn't exceed more than 10% of min. parking required by COA code

Structured Parking

Streetscape Design criteria elements encourage amenities which contribute to pedestrian comfort and safety.

- More than 50% of total parking is structured or underground
- More than 10% of total structured parking is underground
- Garages with masonry veneer or architectural fenestration for compatibility
- Retail / commercial uses at 1st floor of garage
- Parking garages lined with occupied buildings on 25% of perimeter walls

Section V: Land Uses

- *Objective 5: Create a Town Center Development (TCD) that has an integrated mixture of compatible building and land uses.*

Mixed Use

Mixed-use criteria elements encourage the greatest diversity of building and land uses which promotes vitality and convenience.

- Retail land uses included (min. 20,000 S.F. threshold)
- Office land use included (min. 20,000 S.F. threshold)
- Housing land use included (min. 50 dwelling unit threshold)
- Includes vertical mixed use buildings

General

General land use criteria elements encourage other elements that support a more walkable Town Center Development.

- Density to support transit and walking (min. 0.5 F.A.R. including all gross S.F)
- Includes at least one restaurant, café, or food service establishment
- 5% or more of residential units are 80% MFI or less
- Main street retail / anchor liner buildings (80% of retail street frontages are individual 30 ft. max wide storefronts)
- Community building uses included (park pavilion, meeting room, post office, child care, etc.)

SCORING THE MATRIX

General Notes

Proposed Town Center Developments applying for density bonuses will be evaluated by City of Austin staff. The preliminary staff evaluation will include any recommended improvements that could be made that could yield a higher score and therefore more incentives. The final scoring is conditional with a performance-based developer agreement.

Scoring Criteria Items

Each of the Matrix criterion will be scored in a range from 0 points to 2 points.

- 0 points: Proposed project meets little or none of the specific criterion specified in the Matrix.
- 1 points: Proposed project meets some of the specific criterion specified in the Matrix.
- 2 points: Proposed project meets all or most of the specific criterion specified in the Matrix.

Weighting of Criteria Items

Each of the Matrix criterion is weighted according to priority. The sum score of each criterion is the score (0 to 2 points) multiplied by the weighting factor.

Total Scoring

The total weighted score is total to determine the overall Smart Growth rating, which is the threshold for the different levels of density incentives available for proposed TC-PUD projects. There are 1000 available points in the Matrix.

Matrix Smart Growth Rating

The Smart Growth Rating is determined by the following Matrix scoring thresholds:

- 0 to 99 points: 0 star rating
- 100 to 299 points: 1 star rating
- 300 to 499 points: 2 star rating
- 500 to 799 points: 3 star rating
- 800 to 1000 points: 4 star rating

ELIGIBILITY FOR INCENTIVES

Based on the Smart Growth rating, applicants are eligible for density bonuses in the form of allowable impervious cover transfer fees, increased F.A.R. and limited increases in allowable building height.

Impervious Cover Incentives

Low limits on impervious cover allowed on a site in the 2222 Corridor creates a regulatory obstacle to creating compact and walkable Town Center Developments. According the Smart Growth rating scored in the Matrix, applicants may be eligible to purchase an impervious cover credit through participation in the Conservation Trust Fund (C.T.F) . (See Article 5). The amount of impervious cover transferred through the C.T.F. in limited by the Smart Growth Rating.

F.A.R. Incentives

Limits on the allowable Floor to Area Ratio (F.A.R.) in zoning and the Hill Country Roadway Ordinance create obstacles to building more compactly in the 2222 Corridor. The incentives available through the TC-PUD Matrix permit increases in the allowable F.A.R. up to 1.0 depending on the Smart Growth Rating earned by a project.

Smart Growth Ratings and Incentives

The following incentives are available for eligible Town Center Developments:

Smart Growth Rating	Allowable Increase in Impervious Cover	Allowable Increase in F.A.R.
0 stars	no increases	no increases in F.A.R.
1 stars	no increase	increases to 0.3 F.A.R.
2 stars	increase to 45%	increase to 0.4 F.A.R.
3 stars	increase to 55%	increase to 0.5 F.A.R.
4 stars	increase to 65%	increase to 1.0 F.A.R.

Table 4.5.3 Smart Growth Ratings and Incentives

PRIVATE TRANSFERS OF DEVELOPMENT RIGHTS (TDR)

Sites limited by low impervious cover limits are very difficult to develop as compact and walkable developments. To increase impervious cover on a specific site, a transfer of development rights may be the only way to achieve enough critical mass for a development to be considered walkable. Although existing City regulations allow transfers of development intensity from one transferring tract to another receiving tract, the TDR program, in its current form, is seldom used by developers (refer to Part 2). Part of the reason is that the CWO currently limits the amount of impervious cover that can be transferred. The proposed alternative TDR program would allow higher impervious cover on receiving tracts than normally permitted by the CWO. This higher onsite impervious cover limit is contingent on exemplary projects scoring higher on the TC-PUD Incentive Zoning Matrix.

A modified TDR strategy would have the following objectives:

- Encourage more use of TDRs within the private sector by creating and promoting a new market for transferring impervious cover.
- Tying the amount of impervious cover transferred to the quality of the development proposed as measured against the criteria in the Incentive Zoning Matrix.
- Preserve more critical environmental lands in the form of private conservation easements and preserve lands.

CONSERVATION TRUST FUND (C.T.F.)

As an alternative to the private TDR program, the Conservation Trust Fund (C.T.F.) would be another way to allow transfers of development intensity through the creation of a land bank. The CTF is intended to complement the Balcones Canyonlands Conservation Plan (B.C.C.P.) by promoting the acquisition and protection of contiguous environmentally sensitive open space to be

set aside as preserves. The specific objectives of implementing a Conservation Trust Fund program in the FM 2222 Corridor are the following:

- Acquire Additional Preserve Lands with Minimal Public Funds
  The Conservation Trust Fund creates a mechanism for raising additional funds for acquiring additional open space through C.T.F. transfer fees for Town Center Developments.

- Protect Water Quality
  The Conservation Trust Fund creates a transfer mechanism that protects the net overall impervious cover of a specific watershed yet encourages more walkable compact development.

- Protect Endangered Species
  The Conservation Trust Fund creates a funding mechanism for acquiring more preserve lands to protect endangered wildlife habitat.

- Create Contiguous Green Space
  The Conservation Trust Fund creates a funding mechanism for acquiring preserve lands that can be consolidated with other already secured lands for the Balcones Canyonlands Preserves.

- Promote Compact Development
  The Conservation Trust Fund is part of a two part strategy that promotes the acquisition of more contiguous preserve lands as it encourages compact walkable development in the form of Town Centers. Participation in the C.T.F. transfer program is available only to developers proposing eligible Town Center Developments.

OVERVIEW OF THE CTF

The proposed Conservation Trust Fund (C.T.F.) creates a mechanism for funding new acquisition of preserve lands by allowing developers to effectively pay a fee to increase the amount of impervious cover on a tract eligible to be developed as Town Center Development. The C.T.F Program could make it easier to preserve environmentally sensitive lands with minimal public funds. The program would allow developers to buy the right to build projects with higher impervious cover than normally allowed under existing watershed regulations. A developer with an eligible "receiving tract" would pay an impervious cover "transfer fee" in exchange for the right to build at a higher rate of impervious cover and therefore higher density. The C.T.F. transfer fee would be specifically reserved as a Conservation Trust Fund to be used to purchase additional BCP lands or other environmentally sensitive lands within the same watershed. The "transferring tract" would become permanently preserved open space. The net sum of new impervious cover on both tracts would be generally the same as if developed under the existing watershed ordinances. Thus new development in the Corridor could become an engine for preserving more open space within the Drinking Water Protection Zone (D.W.P.Z.).

Eligibility

A project must meet the following criteria to be eligible to participation in the C.T.F. program:

Location:

Eligible projects must be located in the 2222 Corridor defined as land within 2000 feet of R.M. 2222 from R.M. 2222 to Loop 360.

Project type:

Projects eligible to participate in the C.T.F. shall be one of the following:

Town Center Developments:

Town Center Developments, walkable compact mixed-use commercial projects which meet the criteria of the Town Center Overlay Zoning Incentive Matrix (Article 4), shall be eligible to transfer impervious cover through payment toward the Conservation Trust Fund. Projects must meet a certain level of the criteria (as scored by City of Austin staff) to be eligible for the C.T.F. transfers.

Traditional Neighborhood (Development) Districts:

Traditional Neighborhood Developments, compact mixed-use neighborhoods which meet the criteria of the Traditional Neighborhood District (T.N.D.) Standards, shall be eligible to transfer impervious cover through payment toward the Conservation Trust Fund. Projects applying for C.T.F. transfers must receive T.N.D. zoning.

Conservation Trust Fund Transfer Fees

After the approval of either the Town Center Overlay Zoning or Traditional Neighborhood District Zoning, the applicant is to make payment toward the Conservation Trust Fund. They need to buy the development rights and take their chances.. No final site development permits will be issued without C.T.F. payment. Fee for transferring impervious cover to a receiving site shall be set at the most recent taxed appraised rate of the receiving tract.

Management of the Conservation Trust Fund

The Conservation Trust Fund shall be managed by the City of Austin. All payments made to the Conservation Trust Fund shall be used for the purchase of new BCP lands, lands along sensitive creeks or waterways to protect water quality, or land for new public recreational parks or trails.

Conservation Trust Fund Matrix

The Conservation Trust Fund Matrix is a worksheet that calculated the net effective impervious cover to be transferred and the fee required.

Transfer of Development Rights

Developers may buy development rights from property within the same watershed and apply these rights to TC-PUD projects. The transferring tract shall be platted with appropriate notes listing the amount of impervious cover transferred.

Section 5
CONCLUSION

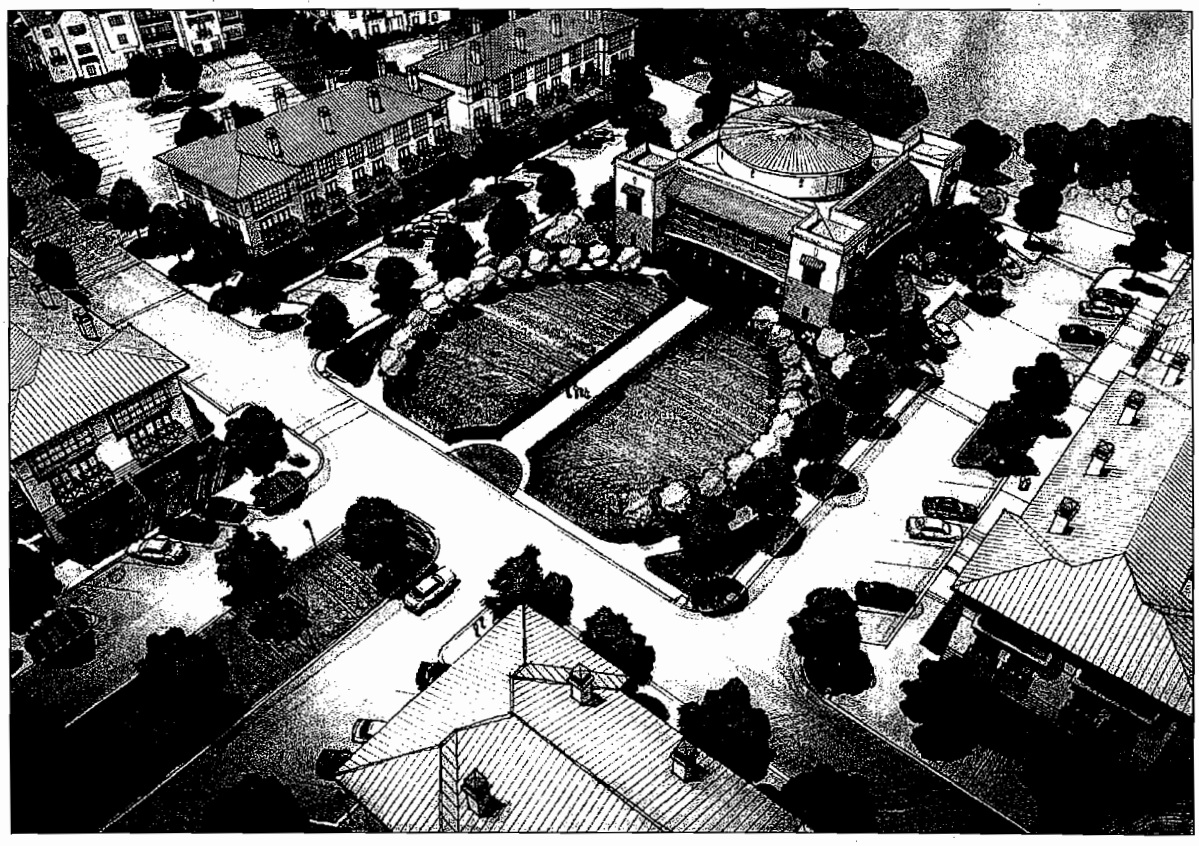


Figure 4.4
If adopted, the TC-PUD would encourage more developments to be compact and walkable.

Adopting alternative standards and incentives in the form of a Town Center Planned Unit Development offers a viable strategy toward encouraging more compact and walkable development as well as preserving more open space. A TC-PUD Ordinance offers several advantages:

- Applying for development bonus provisions are optional. Existing regulations and entitlements are left unchanged.
- The standards are flexible and not overly prescriptive.
- The criteria in the Incentive Matrix encourage high performance from developers, who are rewarded with greater development yields for their excellence.
- The program creates a mechanism for maintaining effective low impervious cover in sensitive watersheds by using an aggressive Transfers of Development Rights plan.
- Conservation of open space is integrated into a contiguous system of Preserves.

Jack Maroney
1801 Lavaca #13J
Austin, Texas 78701

October 29, 2007

Mr. Jorge Rousselin
Neighborhood Planning and Zoning Department
City of Austin
505 Barton Springs Rd.
Austin, Texas 78704

Re: Case Number C814-2007-0163

Dear Mr. Rousselin:

As an adjacent property owner, I support the application to change the use of the property on Ranch Road 620.

Sincerely,

Jack Maroney

JM/do

Cc: John P. Schneider, Jr., Real Estate Broker
John M. Joseph
Richard Buratti

Rousselin, Jorge

From: [redacted]

Sent: Monday, December 03, 2007 2:43 PM

To: Betty Baker; Clarke Hammond; Keith Jackson; Joseph Martinez; Teresa Rabago; Stephanie Hale; Shieh1@aol.com; Jay A. Gohil

Cc: Rousselin, Jorge; [redacted]

Subject: Agenda Item 9, C814-2007-0163, December 4 Hearing - The Venue at Lake Travis

Zoning & Platting Commission Chair and Commissioners:

Please be advised that Long Canyon Homeowners Association, Phase 1 has not endorsed or provided any indication of support for the proposed The Venue at Lake Travis development. A proposed zoning change for this development is item 9 on the Zoning and Platting Commission agenda for December 4, 2007, case number C814-2007-0163.

I am sending this to you because you may receive communications which state or imply that we have taken a position of support for The Venue at Lake Travis. We have not.

E. B. King
President
Long Canyon Homeowners Association, Inc. (Phase 1)
P. O. Box 29371
Austin, TX 78755
[redacted]

Rousselin, Jorge

From: Peter Torgrimson [redacted]
Sent: Monday, December 03, 2007 9:08 AM
To: Rousselin, Jorge
Cc: Carol Lee
Subject: Postponement Request - The Venue at Lake Travis - C814-2007-0163

To: Mr. Jorge Rousselin, Neighborhood Planning and Zoning Department

From: Peter Torgrimson, President, 2222 Coalition of Neighborhood Associations, Inc.

RE: Case Number C814-2007-0163

Dear Mr. Rousselin,

2222 Coalition of Neighborhood Associations, Inc. (2222 CONA) requests postponement of Agenda Item #9 on the Zoning and Platting Commission December 4, 2007 agenda concerning The Venue at Lake Travis. We request the hearing be postponed to the January 8, 2008 meeting.

This is a complex project. Many concerns of the neighborhoods affected by this development are unresolved. In addition, many questions to the applicant from city staff remain unanswered. The additional time requested will allow the neighborhoods to better understand and evaluate the proposed development.

2222 CONA requests that our postponement request not be used if the City of Austin or the applicant requests a postponement of this item.

Thank you for your continued help with this matter.

Sincerely yours,

Peter Torgrimson
President
2222 Coalition of Neighborhood Associations, Inc.
6104 Maury's Trail
Austin, TX 78730
512-338-4722

Rousselin, Jorge

From: Tim Finley [redacted]

Sent: Friday, November 30, 2007 1:21 PM

To: Wynn, Will; Leffingwell, Lee; Kim, Jennifer; McCracken, Brewster; Dunkerley, Betty; Cole, Sheryl; Martinez, Mike [Council Member]; "mailto:chammond1"@austin.rr.com; "mailto:josephamartinez"@yahoo.com; "mailto:trabago"@austin.rr.com; "mailto:jay"@jaygohilrealty.com; "mailto:info"@swhconsulting.com; "mailto:kbjackson"@pbsj.com; "mailto:bbaker5"@austin.rr.com

Cc: WScott236@aol.com; mac@suttoncompany.com; Rousselin, Jorge

Subject: Support the Pier Project

November 30, 2007

Members of the City Council
Members of the Zoning and Platting Commission

RE: **8. Rezoning: C814-06-0202 - PIER Partners**
Location: 1703 River Hills Road, Lake Austin Watershed
Owner/Applicant: Pier Partners LP

Dear Members of the City Council and Zoning and Platting Commission:

I am writing to express my support of the Pier Project as envisioned by Pier Partners.

I have known Wally Scott, President of the Sutton Company, for my entire life. During the 1970's, I spent many days on Lake Austin with Wally and members of his family. Most lake outings included a stop at the Pier for a burger and fries. I can assure you that Wally has a life-long love of Lake Austin, and a special place in his heart for the Pier. The development envisioned by Pier Partners will bring the long neglected Pier site back to life for Austinites to enjoy.

Sadly, I have not been able to enjoy boating on Lake Austin much in recent years. The primary reason is that unless one owns a lake house, or happens to rent one of the few boat slips available for lease on Lake Austin, the lake has become inaccessible. On active weekends, the popular boat ramp at Loop 360 can only be described as a dangerous mess. The danger is not due to crowds on the lake in general; with twenty miles of lake, there is plenty of room for everyone. The danger comes from the concentration of activity at the few public access points. The dry boat storage facility at the Pier will allow additional citizens to enjoy Lake Austin without cluttering the lake with floating docks or docks projecting into the lake.

Any reasonable person must allow that as long as powerboats are used on Lake Austin, then fueling facilities are necessary. To the best of my knowledge, there is only one gas station on the lake at this point. To avoid a long wasteful trip for gas, many people with boat slips must use portable gas cans to fill their boats. No doubt drips and spills of gas are ending up in the lake. The last time you filled your lawn mower did you manage not to spill any gas? A modern fueling facility at the Pier will help protect the environment and reduce waste.

Please approve the Pier project.

Sincerely,

Tim Finley

Rousselin, Jorge

From: Mike Lay [redacted]

Sent: Monday, December 03, 2007 7:39 PM

To: Betty Baker; Clarke Hammond; Keith Jackson; Joseph Martinez; Teresa Rabago; Stephanie Hale; James Shieh; Jay A. Gohil; Rousselin, Jorge

Subject: Venue at Lake Travis zoning

Zoning & Platting Commission Chair and Commissioners,

Please deny the zoning change for the Venue at Lake Travis. This is item 9 on the December 4, 2007 Zoning and Platting Commission agenda, case number C814-2007-0163.

The reasons for denying this request are too numerous to list, but the following are some of the major issues:

1. The applicant has applied for a PUD (Planned Unit Development) in order to have more flexibility than would be allowed under conventional zoning. In order to have a PUD approved, the applicant must demonstrate to the City that the proposed development would be materially superior to the development possible under conventional zoning. So far, the applicant has failed to meet the basic requirement of demonstrating how the proposed development would be superior.

2. Ordinarily when a PUD is proposed, there are lengthy discussions with the affected neighborhoods and a negotiated agreement between the parties concerned before going forward for zoning approval. So far, the applicant has not entered into such discussions with the affected

neighborhoods.

3. The amount of impervious cover which would be allowed under city code is about 425,000 square feet. The applicant is requesting impervious cover of about 1 million square feet. To offset a portion of the excess impervious cover, the applicant is proposing to transfer development rights from a property in another part of the city and in a different watershed.

4. The applicant is proposing to build an eight-story building as part of the development. Under the LDC, the maximum height for a building on this property would be 53 feet (four stories).

5. The applicant has proposed a development of between 2 million and 3.4 million square feet. Because the application is so vague and sketchy, it is difficult to determine the amount of development which would be allowed under city code. But because the applicant is proposing to double the amount of impervious cover and to build at least one building (presumably the hotel) which is almost twice the allowed height, it is reasonable to estimate that the proposed development would be at least twice as large as that allowed under city code.

6. The application lists 27 variances to the Land Development Code. These code regulations are specifically designed to prevent excessive developments such as are being proposed. Some requested variances set aside Hill Country Roadway provisions of the Land Development Code which

are specifically designed to regulate developments in this area.

7. The applicant does not intend to employ water quality controls which are required under city code and which are designed to protect the environment and the water supply.

8. Ordinarily such a proposed project would first be heard by the Environmental Board before going to the Zoning and Platting Commission. This step in the process has been bypassed.

9. This project has been described by the applicant as a Town Center Development as a justification for the variances. This is not a Town Center Development. It is a car-oriented suburban development which will require access by car via RM 620.

The application generated a large number of questions and issues by City staff, and many of those have not been addressed by the applicant. It is premature for this development to be going forward for zoning approval. Until the questions and issues have been resolved and additional information has been provided to the City and neighbors, it is not possible to properly evaluate this zoning proposal.

Thank you for your consideration.

Mike Lay

resident of Jester Estates

Rousselin, Jorge

From: Stephan & Stephanie [redacted]
Sent: Monday, December 03, 2007 7:58 PM
To: Betty Baker; Clarke Hammond; Keith Jackson; Joseph Martinez; Teresa Rabago; Stephanie Hale; James Shieh; "Jay A. Gohil"
Cc: Rousselin, Jorge
Subject: Zoning and Platting Commission agenda, case number C814-2007-0163

Zoning & Platting Commission Chair and Commissioners,

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Thank you for your consideration.

Stephanie Beach

7200 Holly Fern Cove

Austin, TX 78750